

REMARKS

Claims 1 through 16 are in the application, with Claims 1, 8, and 11 having been amended, with Claims 4 - 7 having been withdrawn, and with Claim 3 being previously presented, and claims 2, 10, and 12 – 16 remaining unchanged from the original versions thereof. Claims 1, 8, and 11 are the independent claims herein. No new matter has been added. Reconsideration and further examination are respectfully requested.

Specification

The abstract of the disclosure was objected to for being too short. In reply thereto, the Abstract has been amended as identified in the Amendments to the Specification hereinabove.

The disclosure was objected to because of the following informalities:

(a). The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code (See for example, page 6 line 20). Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. In reply thereto, Applicant notes that the term “Europrospectus.com LTD” is not an embedded hyperlink and/or other form of browser-executable code. Instead, the disclosed “Europrospectus.com LTD” is the name of a company. Accordingly, correction is not required regarding this objection.

(b). Abbreviation of Edgar without an explanation. In reply thereto, the Specification has been amended as indicated hereinabove to overcome this objection.

(c) Use of the trademark Microsoft Access. In reply thereto, the Specification has been amended as indicated hereinabove to overcome this objection.

(d) Abbreviation CUSIP and ISIN. In reply thereto, the Specification has been amended as indicated hereinabove to overcome this objection.

(e) Claim 1 was for not having a semicolon after the word “to”. In reply thereto, claim 1 has been amended as indicated hereinabove to overcome this objection.

Claim Rejections – 35 USC § 101

Claims 1 – 3 and 8 – 16 were rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. This rejection is traversed.

Applicant respectfully submits that claim 1 does not, as a matter of fact, merely recites a series of steps. In fact, claim 1 is directed to a system comprising a “processor”, a “communications device”, and a “memory unit in communication with the processor and storing a program”. Thus, it is clear that the subject matter of claim 1 is not a mere listing of a series of steps but is clearly an apparatus. Applicant further submits that the claimed apparatus is not transformed into a series of steps due to the inclusion of a number of processes that the recited processor is operative to carry out in cooperation with the program stored in the memory. Applicant reminds the Office that all of the recited elements in the claims are due consideration and equal weight. Thus, the recited steps are no more or less important than the recited “processor”, “communications device”, and “memory unit in communication with the processor and storing a program” of claim 1.

Accordingly, it is clear that claim 1 is explicitly directed to patentable subject matter under 35 USC 101.

Applicant further notes that claim 1 is currently amended to clarify a “useful” and “practical application” for the claim (i.e., using said outputted data record associated with said derivative transaction to support an execution of a derivative agreement involving said reference entity and said at least a first reference obligation).

Thus, it is respectfully submitted that claim 1 is directed to patentable subject matter under 35 USC 101. Claims 2 and 3 depend from claim 1. Applicant submits

that claims 2 and 3 are also directed to patentable subject matter under 35 USC 101 for at least the same reasons as claim 1.

Regarding claims 8 and 11, Applicant notes that that each of these subject claims, as currently amended, explicitly recites a computer to generate the claimed data record. Accordingly, it is respectfully submitted that claims 8 and 11 are directed to patentable subject matter under 35 USC 101. Furthermore, Applicant submits that claims 9, 10, and 12 – 16 are also directed to patentable subject matter under 35 USC 101 for at least the same reasons as claims 8 and 11.

Thus, the reconsideration and withdrawal of the rejection of claims 1 – 3 and 8 – 16 under 35 USC 101 is respectfully requested.

Claim Rejections – 35 USC § 102

Claims 1 – 3 and 8 – 16 were rejected under 35 U.S.C. 102(a) as being clearly anticipated by U.S. Patent No. 6,317,727 B1 to May. This rejection is traversed.

Applicant respectfully submits that the Office Action is completely lacking in the requisite specificity to substantiate a proper rejection under 35 USC 102(a). In particular, the Office Action fails to provide with any specificity that portion of the cited and relied upon May reference where it is disclosed, “output a data record associated with said derivative transaction, said data record including said data identifying said reference entity, said data identifying said at least first reference obligation, and data identifying said contractual relationship, wherein said data record is verified as accurate as of an issue date of said derivative transaction; and using said outputted data record associated with said derivative transaction to support an execution of a derivative agreement involving said reference entity and said at least a first reference obligation”.

For example, the Office Action cites May at “Abstract, Figures, Col. 1, lines 35 – 60, and col. 5, lines 31 – 38, etc.”. Applicant notes that the specific sections of the Specification are devoid of the recited aspects of “output a data record associated with

said derivative transaction, said data record including said data identifying said reference entity, said data identifying said at least first reference obligation, and data identifying said contractual relationship, wherein said data record is verified as accurate as of an issue date of said derivative transaction; and using said outputted data record associated with said derivative transaction to support an execution of a derivative agreement involving said reference entity and said at least a first reference obligation.” As an example, May discloses at col. 5, lines 31 – 38,

Thus, a heretofore unresolved need exist in the industry for a system and method for anonymous credit screening of potential counterparties before conducting trades via an electronic trading system wherein the credit risk preferences of the trader take into account the complexity of the different types derivatives instruments.

As seen from the above reproduction from May, there is no disclosure that anticipates claim 1, 8, or 11, as cited and relied upon by the Office Action

Additionally, May includes 33 sheets of drawings, including some 40 different figures. The Office Action merely cites the “figures”.

Accordingly, it is respectfully submitted that the Office Action has not provided a proper prima facie case for rejecting claims 1 – 3, and 8 – 16 under 35 USC 102(a) since, for example, the rejection does not provide an articulated and reasoned argument supported by the cited reference of a disclosure of each and every aspect of the claimed invention in the reference. Thus, the reconsideration and allowance of claims 1 – 3 and 8 – 16 are respectfully requested.

C O N C L U S I O N

Accordingly, Applicants respectfully request allowance of the pending claims. If any issues remain, or if the Examiner has any further suggestions for expediting allowance of the present application, the Examiner is kindly invited to contact the undersigned via telephone at (203) 972-5985.

Respectfully submitted,

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Date

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